

Senate File 330 - Introduced

SENATE FILE _____
BY BOETTGER

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the installation of certain fire suppression
2 systems in the restoration or remodeling of a building
3 constructed before 1910.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 2491SS 83
6 jr/nh/14

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1 1 Section 1. Section 100.35, Code 2009, is amended to read
1 2 as follows:
1 3 100.35 RULES OF MARSHAL.
1 4 1. The fire marshal shall adopt, and may amend rules under
1 5 chapter 17A, which include standards relating to exits and
1 6 exit lights, fire escapes, fire protection, fire safety and
1 7 the elimination of fire hazards, in and for churches, schools,
1 8 hotels, theaters, amphitheaters, hospitals, health care
1 9 facilities as defined in section 135C.1, boarding homes or
1 10 housing, rest homes, dormitories, college buildings, lodge
1 11 halls, club rooms, public meeting places, places of amusement,
1 12 apartment buildings, food establishments as defined in section
1 13 137F.1, and all other buildings or structures in which persons
1 14 congregate from time to time, whether publicly or privately
1 15 owned. Violation of a rule adopted by the fire marshal is a
1 16 simple misdemeanor. However, upon proof that the fire marshal
1 17 gave written notice to the defendant of the violation, and
1 18 proof that the violation constituted a clear and present
1 19 danger to life, and proof that the defendant failed to
1 20 eliminate the condition giving rise to the violation within
1 21 thirty days after receipt of notice from the fire marshal, the
1 22 penalty is that provided by law for a serious misdemeanor.
1 23 Each day of the continuing violation of a rule after
1 24 conviction of a violation of the rule is a separate offense.
1 25 A conviction is subject to appeal as in other criminal cases.
1 26 2. Rules by the fire marshal affecting the construction of
1 27 new buildings, additions to buildings or rehabilitation of
1 28 existing buildings and related to fire protection, shall be
1 29 substantially in accord with the provisions of the nationally
1 30 recognized building and related codes adopted as the state
1 31 building code pursuant to section 103A.7 or with codes adopted
1 32 by a local subdivision which are in substantial accord with
1 33 the codes comprising the state building code. The rules
1 34 adopted by the fire marshal shall not require the installation
1 35 of fire sprinklers or a related fire suppression system in the
2 1 restoration or remodeling of a building constructed before
2 2 1910.
2 3 3. The rules adopted by the state fire marshal under this
2 4 section shall provide standards for fire resistance of
2 5 cellulose insulation sold or used in this state, whether for
2 6 public or private use. The rules shall provide for approval
2 7 of the cellulose insulation by at least one nationally
2 8 recognized independent testing laboratory.
2 9 Sec. 2. Section 103A.7, subsection 2, paragraph d, Code
2 10 2009, is amended to read as follows:
2 11 d. Protection of the health, safety, and welfare of
2 12 occupants and users. The rules adopted by the state building
2 13 code commissioner shall not require the installation of fire
2 14 sprinklers or a related fire suppression system in the
2 15 restoration or remodeling of a building constructed before
2 16 1910.
2 17 Sec. 3. Section 331.304, subsection 3, Code 2009, is

2 18 amended by adding the following new paragraph:
2 19 NEW PARAGRAPH. c. A county building code shall not
2 20 require the installation of fire sprinklers or a related fire
2 21 suppression system in the restoration or remodeling of a
2 22 building constructed before 1910.

2 23 Sec. 4. Section 364.17, Code 2009, is amended by adding
2 24 the following new subsection:

2 25 NEW SUBSECTION. 8. A building or housing code adopted by
2 26 a city shall not require the installation of fire sprinklers
2 27 or a related fire suppression system in the restoration or
2 28 remodeling of a building constructed before 1910.

2 29 EXPLANATION

2 30 This bill provides that the rules of the fire marshal, the
2 31 state building code, or a building code adopted by a city or
2 32 county shall not require the installation of fire sprinklers
2 33 or a related fire suppression system in the restoration or
2 34 remodeling of a building constructed before 1910.

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